

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KYLER H., a Minor, and )  
LOJWANNA M., Individually and )  
as Guardian and Next Friend of KYLER H., )  
Plaintiffs, )                           **08 C 1125**  
v. )                                      **JUDGE AMY ST. EVE**  
BOARD OF EDUCATION OF THE )  
CITY OF CHICAGO, DISTRICT 299 )  
Defendant )

**INITIAL STATUS REPORT**

NOW COME Plaintiffs, by and through their attorney, Michael A O'Connor, Mauk & O'Connor, LLP, and Defendant, by and through their attorney James J. Seaberry, and as their joint status report, state as follows:

**I.       The Nature of the Case**

A. Attorneys of record are

For Plaintiffs:

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For Defendants:

James J. Seaberry  
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Board of Education of the City of Chicago  
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- B. Basis for federal jurisdiction is the Individuals with Disabilities Education Act, 20 U.S.C. §1415(i)(3)(B).
- C. Nature of the claims asserted in complaint – Plaintiffs seek payment of attorney fees for prosecuting a due process case against Chicago Public Schools
  - 1. Plaintiffs Kyler H and Lojwanna M. seek payment in the amount of \$42,242.28 in attorney fees for representation in the due process hearing;
- D. Defendant has filed an answer asserting that the fees requested are not reasonable, and further deny that there are no circumstances which would render an award of fees unjust.
- E. Plaintiffs Kyler H. and Lojwanna M. seek a judgment in the amount of \$42,242.28.

**II. Pending Motions**

- a. There are no pending motions
- b. The parties believe that no discovery is necessary for the resolution of this case

c. The parties believe this matter can be resolved through cross-motions for summary judgment, and request that dates be scheduled at the status conference for submission of respective motions, responses and replies.

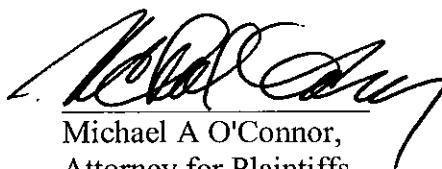
**III.** Parties respectfully decline referral to a magistrate and request that this matter be resolved by Judge St. Eve, via rulings on cross motions for summary judgment.

**IV.** Status of Settlement Discussions

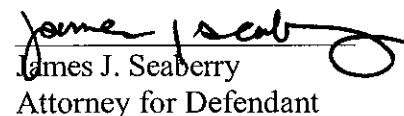
a. Counsel for the parties have communicated prior to and after the filing of this action, and report that an impasse has been reached regarding the claims of Plaintiffs.

Respectfully submitted,

March 20, 2008



Michael A O'Connor,  
Attorney for Plaintiffs



James J. Seaberry  
Attorney for Defendant

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